

REMARKS

The present amendment is submitted in response to the Office Action of September 21, 2000, which set a shortened three-month period for response. Filed concurrently herewith is a Request for a One-Month Extension of Time, making this Amendment due by January 21, 2001, a Sunday, or by Monday, January 22, 2001.

Claims 18-34 are pending in this application; however, claims 22 -34 have been withdrawn from consideration pursuant to an Election/Restriction Requirement, pending the allowance of a generic claim (i.e., claim 18).

Claims 19-21 stand rejected under 35 U.S.C. 112, second paragraph, for indefiniteness. Claim 18 was rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,434,695 to Wingen ("Wingen '695"). Claim 19 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Wingen '695. The Applicant acknowledges with appreciation the conditional allowance of claims 20 and 21.

Turning first to the rejection of the claims under Section 112, specifically, claim 19 was objected to for use of the phrase "arranged between" in line 3. Claim 19 has been amended to strike this objected-to phrase and to replace this phrase with -- disposed proximate to -- . It is believed that this phrase more clearly reflects the structure as described in the specification and as illustrated in the figures. As such, Applicant requests removal of the rejection of claim 19 under Section 112.

With regard to the rejection of claim 18 as anticipated by the patent to Wingen, Applicant submits that the subject matter of claim 18 is neither shown nor suggested by Wingen because an essential feature of the present invention is not represented by Wingen. However, Applicant has amended claim 18 to more clearly

distinguish between the advancing device and the pressing device by adding language to the effect that the pressing device also serves to overcome the force of the pressure spring acting on the advancing piston rod during the cutting operation.

Applicant has also added language to both claims 18 and 19, which reflects another patentable distinction between the present invention and the Wingen device: namely, with the present invention, first and second pneumatic drives are provided, the first drive acting on the advancing piston and the second drive serving to actuate the pressing device, or slide.

Contrary to the Examiner's assertion, the structural feature of Wingen, indicated with reference numeral 19, in no way can be seen as a "pressing device". Rather, "19" merely refers to the end cover of the housing 20, whereby the end cover 19 serves as an abutment or support for the return spring 7 (Wingen, column 4, lines 6-7). For a better understanding of the differences between Wingen and the present invention, Applicant shall provide a discussion of the corresponding structural elements and technical functioning of the two devices.

The horizontal advancing device disclosed by Wingen for the blade hub 22 which holds the circular blade 9 comprises a piston rod 17, which is adjustable toward the right to a cutting position in the housing 20, when compressed air is used in the housing 20 via a compressed air connection. In this regard, the blade arrangement of Wingen appears to correspond to the embodiment shown in Figure 2 of the present application, in which the blade likewise must be moved to the right to its cutting position. In Wingen, if the compressed air force is removed or shut off, the return spring 7 (a pressure spring), disposed in an end bore 18 of the piston rod 17,

presses on the cover 19, causing the blade hub 22 to shift, i.e., return, to the left to its starting position. So when the circular blade 9 must be shifted to the right to its cutting position, then the pressure from the compressed air line in the housing 20 must be so forceful that the force of the return spring, which works to move the blade to the left, must be overcome and yet another pressing force causing the blade to move to the right must be produced. Therefore, the sufficiency of the adjusting pressure force for the blade is dependent on how forceful the return spring 7 is in various resistance positions.

The piston rod 17 of Wingen may arguably correspond to the piston rod 14 of the present invention, which is adjustable to the left in a cutting position in the blade head housing, whereby the air pressure required for movement of the piston rod 14 is supplied via a pneumatic connector 21, as shown in the embodiment illustrated in Figure 1 of the present application. The diaphragm 20 functions, therefore, as a piston. The return spring 7 of Wingen appears to correspond with the pressure spring 23 of the present invention, which biases the piston rod 14 in its width-holdover position toward the right.

However, in the present invention, in order to compensate for the effect of the spring force of the return spring on the accuracy of adjustment of the pressing force, a second, auxiliary pressing device 24 is provided. This second pressing device 24 compensates for the return force of the return spring 7 of Wingen, or the pressure spring 23 of the present invention. As shown in the embodiment of Figure 1 of the present application, this second supplemental pressing device 24 impacts the pressure spring 23 toward the left, that is, in the cutting position of the circular blade.

Since therefore the piston rod 14 may not be affected, the second, auxiliary pressing device 24 is uncoupled from the piston rod.

Wingen fails to show or suggest this second, auxiliary pressing device which works exclusively on the return spring 7 and therefore is uncoupled from the piston rod 17; with Wingen, the return spring 7 is continually in operation and therefore influences in a disadvantageous manner the adjustment of the pressing force for the circular blade. In this regard, Wingen provides overall no teachings related to or leading to the device of the present invention. Therefore, claim 18 cannot be viewed as anticipated by the Wingen patent.

On this same basis, the subject matter of claim 19 cannot be seen as obvious over Wingen. The subject matter of claim 19 is specifically that the second, supplemental pressing device comprises a slide and for whose operation a second, supplemental pneumatic drive 27 is provided near the first pneumatic connector 21 (for adjustment/shifting of the circular blade). Since Wingen only shows and describes a single compressed air drive for the movement of the piston rod 17, the feature recited in claim 19 of the present application, that is, a second, supplemental pneumatic drive 27, is neither shown nor suggested by Wingen. Therefore, claim 19 should not be seen as obvious over this reference. Applicant respectfully requests removal of the rejection of claim 19 under Section 103.

In light of the foregoing amendment and remarks in support of patentability, Applicant respectfully submits that this application now stands in condition for allowance. Action to this end is courteously solicited. Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a

telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully Submitted,

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